

REMARKS

Claims 1-3, 5-18, 20-22, and 25 are pending in the present application.

By the present amendment, claims 1, 9, 17, and 25 have been amended to specify that the %silica coating parameter value of 5% to 50% is based on the ratio of the weight of the precipitated silica to the total weight of the boehmite and precipitated silica added together. Support for this amendment may be found in the Specification at paragraphs 0071 – 0072.

REJECTIONS UNDER 35 U.S.C. §112, 2ND PARAGRAPH

The Examiner has rejected the pending claims as being indefinite.

In particular the Examiner has identified “% silica coating parameter value” in claims 1, 9, 17, 23, and 25 as being unclear because the basis for its determination is not set forth.

By the present amendment, Applicants have amended claims 1, 9, 17, and 25 (claim 23 having been previously canceled) to specify that “the %silica coating parameter value of 5% to 50% is based on the ratio of the weight of the precipitated silica to the total weight of the boehmite and precipitated silica.” As noted above, support for this amendment may be found in the specification at paragraphs 0071 – 0072.

The Examiner has noted that the specification, “outlines a method for calculating the % silica ‘coating’, instead of a ‘% silica coating parameter value’. It is not clear if the former and latter are synonymous”.

Applicants maintain that the “% silica coating” is essentially the same as the “% silica coating parameter value”. When writing the present claims, Applicants appended “parameter value” to the end of “% silica coating” to indicate that, as recited in the claims, the “% silica coating” was a parameter inherently present in and descriptive of the silica material, being set forth to describe the silica in greater detail. *See M.P.E.P. §2173.05(e).*

Therefore, based on the above remarks, Applicant maintains that the present claims are not indefinite, and reconsideration and withdrawal of the rejections of these claims are respectfully requested.

Allowable Subject Matter

At page 3 of the Office Action mailed July 27, 2006, the Examiner indicated the claims 1-3, 5-18, 20-22, and 25 were allowable if rewritten to overcome the rejection based on 35 U.S.C. §112, 2ND Paragraph. By the present amendment, Applicant believes that it has overcome the 35 U.S.C. §112, 2ND Paragraph rejections and the present claims are now allowable.

CONCLUSION

Reconsideration and withdrawal of the rejection of the claims in view of the remarks provided herein and allowance of the claims being prosecuted are respectfully requested.

Respectfully submitted,

September 6, 2006

J. M. Huber Corporation
333 Thornall Street
Edison, NJ 08837-2220
(732) 603-3674

David M. Goodrich
David M. Goodrich
Reg. No. 42,592